

14 SEP 1978

MEMORANDUM FOR: Deputy Director of Central Intelligence

FROM : John H. Waller  
Inspector General

James H. Taylor  
Secretary, EAG

SUBJECT : Dissent Procedures

REFERENCE : Memo to DCI from IG dtd 6 July 1978,  
Subject: Channels for Dissent

1. In a memorandum to you of 15 August, the Inspector General (IG) proposed changes in our procedures for handling employee grievances. These changes are designed to place a larger share of the burden in handling grievances on the directorates themselves, where we believe responsibility and accountability ought to be focused, while preserving the employee's right to a formal review by the IG acting for the Director.

2. In this memorandum, we deal with a related but separate issue—dissent. Although the terms grievance and dissent are sometimes in error used interchangeably, there are important distinctions. A grievance is a request by an employee for relief from dissatisfaction with career matters, working conditions, or burdensome administrative decisions which affect the employee personally. Dissent can be defined as an expression of significant substantive opinion at variance with formally accepted positions on analytical, operational, or managerial matters. At your request, this paper concerned with the handling of dissent, and our earlier paper dealing with handling grievances, will be discussed at an EAG meeting on 19 September.

3. We believe that there are three cardinal points which should be conveyed to employees in defining a dissent system:

a. Each directorate should be charged with fostering an atmosphere which does not discourage dissent and with promulgating procedures which permit dissent without prejudice.

b. Each employee should know that he or she may express dissent directly to the Director (DCI) or Deputy Director (DDCI) if satisfaction is not obtained within the directorate.

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c. Dissent should be defined so that it will not be confused with personal grievances or complaints for which a new procedure was recommended by the IG in his paper to you of 15 August.

These points emphasize the desirability of dissent being resolved within the directorate. This is consistent with the wishes of directorate chiefs and the conclusions of the IG in his memorandum of 6 July 1978 (EF 78-1728/1) entitled Channels for Dissent. It is also consistent with sound management practice—ensuring that dissents are aired with those who are in the best position to ensure that they receive professional review and attention. It is also essential, however, that employees feel they may reach the DCI or DDCI if they perceive that they are unable to receive an adequate hearing at the directorate level.


3. The machinery for dissent should be kept simple and understandable. In the case of directorate machinery, it should reflect the needs and characteristics of each directorate; matters stimulating dissent are quite different from one directorate to another, and there is a need to take account of these differences. At the same time, certain basic standards should be met. We believe it is essential that the mechanism established by each directorate is established formally and publicized widely, that it encourage the thoughtful presentation of alternate points of view and emphasize the obligation of supervisors to respond in a forthright manner, and that there be available to employees an opportunity to present their point of view to an advisory entity outside of command channels but within the directorate where warranted.

4. In the case of the DCI and DDCI the procedure should also be made as simple as possible, i.e., employees should know that they may write directly to either and receive a fair hearing. This is consistent with the DCI's statement on 1 September 1978 that: "I continue to urge you to write to me directly and personally, in confidence, and anonymously if you prefer." It would be desirable for the Office of the DCI and DDCI to have a person—either an existing staff officer, or an especially appointed one—to study and research for the DCI/DDCI any dissent received and to monitor informally the responsiveness of directorates to the procedures to be established above. Such a person could informally talk with any dissenter appealing to the DCI or DDCI in the first instance. This officer must not convey the impression he is a barrier or screen for the top; to the contrary, he must make clear he is charged with guaranteeing maximum attention is being given the dissent by the DCI or DDCI. Clearly, also, he must have the requisite access to both the DCI and the DDCI. The personality and apparent wisdom of this individual is critical in making the dissent system credible to employees. Such a person with tact and diplomacy

could, on behalf of the Director, become an invaluable catalyst between a dissenter and his or her home directorate, helping to ensure resolution of some issues before they become so charged with emotion as to be insolvable in a manner satisfactory to both the employee and to the Agency.

5. Recommendation: After this has been discussed in the EAG and you have made a decision on these issues, we recommend that an employee notice be circulated over the DCI's name. It is important that adequate publicity be given the dissent philosophy and system of the Agency, recognizing that it is always difficult to get the word to trickle down to all employees. The notice should explain our general philosophy, clarify the difference between a grievance and a dissent, make clear that the directorates will shortly be establishing and publicizing their own mechanisms and remind all personnel that independent access to the DCI and DDCI exists. To avoid confusion in the minds of employees it would also be desirable to include in the notice a description of the new grievance system.

John H. Waller

  
James H. Taylor

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